

STATE OF MICHIGAN
DEPARTMENT OF HUMAN SERVICES

CHILDREN'S PROTECTIVE SERVICES REQUEST FOR MENTAL HEALTH INFORMATION

Case Name				
Case Number				
County	District	Section	Unit	Worker

Concerning Family/Household Members

Date(s) of Birth

There is a compelling need for the mental health records held by you or your agency, pertinent to a Children's Protective Services (CPS) investigation on the family/household member(s) identified above, to determine if child abuse/neglect has occurred or to protect a child.

I am notifying you, or your agency, pursuant to the Michigan Child Protective Law, 1975 PA 238, as amended, MCL 722.621-722.638, and the Michigan Mental Health Code, 1974 PA 258, as amended, MCL 330.1748a, which require(s) this agency to obtain the information requested and which authorize(s) your release of the information for this purpose.

The information requested includes, but is not limited to, the examination/assessment/treatment of the family or household member(s) on or between the following date(s): _____

Specifically: _____

As part of a Children's Protective Services case, the information you send will become part of the case record and is therefore protected by the very strict confidentiality provisions of Michigan's Child Protection Law. These provisions are binding on all parties involved in the case (MCPL, Sections 7-7a). If in your judgment the release of this information to others given access by the Child Protection Law would be harmful to the client or others, please indicate it in writing on the document(s) you provide.

Please call me at the phone number listed below if you have any questions. The information requested is essential to ensure the safety of children. Your assistance in this case is appreciated. Should you or your agency determine the requested information is not pertinent to this CPS investigation, please indicate what information you deem not pertinent and specify, in detail, your reason for that conclusion in writing.

Sincerely,

Worker Signature

Phone: _____

Fax: _____

Date: _____

Worker Name

Department of Human Services (DHS) will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, height, weight, marital status, sexual orientation, political beliefs or disability. If you need help with reading, writing, hearing, etc., under the Americans with Disabilities Act, you are invited to make your needs known to a DHS office in your area.

Shiawassee County Board: Nancy Best, Cindy Cville, Londa Knauff
1975 W MAIN STREET, SUITE 1 • OWOSSO, MICHIGAN 48867
www.michigan.gov • (989) 7275-3200

Michigan Mental Health Code, 1974 PA 258, MCL 330.1748a

- (1) If there is a compelling need for mental health records or information to determine whether child abuse or child neglect has occurred or to take action to protect a minor where there may be a substantial risk of harm, a family independence agency caseworker or administrator directly involved in the child abuse or neglect investigation shall notify a mental health professional that a child abuse or neglect investigation has been initiated involving a person who has received services from the mental health professional and shall request in writing mental health records and information that are pertinent to that investigation. Upon receipt of this notification and request, the mental health professional shall review all mental health records and information in the mental health professionals possession to determine if there are mental health records or information that is pertinent to that investigation. Within 14 days after receipt of a request made under this subsection, the mental health professional shall release those pertinent mental health records and information to the caseworker or administrator directly involved in the child abuse or neglect investigation.
- (2) The following privileges do not apply to mental health records or information to which access is given under this section:
 - (a) The physician-patient privilege created in section 2157 of the revised judicature act of 1961, 1961 PA 236, MCL 600.2157.
 - (b) The dentist-patient privilege created in section 16648 of the public health code, 1978 PA 368, MCL 333.16648.
 - (c) The licensed professional counselor-client and limited licensed counselor-client privilege created in section 18117 of the public health code, 1978 PA 368, MCL 333.18117.
 - (d) The psychologist-patient privilege created in section 18237 of the public health code, 1978 PA 368, MCL 333.18237.
 - (e) Any other health professional-patient privilege created or recognized by law.
- (3) To the extent not protected by the immunity conferred by 1964 PA 170, MCL 691.1401 to 691.1415, an individual who in good faith gives access to mental health records or information under this section is immune from civil or administrative liability arising from that conduct, unless the conduct was gross negligence or willful and wanton misconduct.
- (4) A duty under this act relating to child abuse and neglect does not alter a duty imposed under another statute, including the child protection law, 1975 PA 238, MCL 722.621 to 722.638, regarding the reporting or investigation of child abuse or neglect.